

April 15, 2008

## TO THE MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE met in regular session on March 24, 2008, and recommends the following motions.

1. Review minutes of:
  - a) Harbor Commission (2/11/08).
  - b) Bay-Lake Regional Planning Commission Monthly Work Program Activity Report by County (February 2008).Approve items a-b.
2. Airport - Budget Status Financial Report for December 31, 2007. Receive & place on file.
3. Airport - Director's report. Receive & place on file.
4. Highway - Budget to Actual, 2008. Receive & place on file.
5. Highway - Request for two Stop signs (one from each direction) at CTH "V" and Daly Street in the Village of Bellevue. (Requested by Supervisor Dave Kaster.) Held from previous meeting. To have 35 mph Advisory signs put up, request speed boards be placed and consideration that when the road be reconstructed in 2010, the intersection of CTH "V" and Daly be reviewed.
6. Highway - Commissioner's Report. Receive & place on file.
7. Zoning - Budget Status Financial Report for December 31, 2007 Receive & place on file.
8. Zoning - 2007 Annual Report. Receive & place on file.
9. Zoning - Request by Jim Ehlen for extension on wetland rezone to continue to work with Senator Lasee's office. Continue extension until February 2009. Ayes: 3 (Vander Leest, Kaster, Fleck); Nays: 0; Abstain: 1 (Dantinne). Motion Carried.
10. Zoning - Request for Budget Transfer (#08-17): \$2,107 from 10-8801-50-0101 (Salaries) to 10-8801-50-0340 (Information Services Chargebacks) to purchase a laptop computer. Approve.
11. Zoning - FEMA Update. No action.
12. Zoning - Director's Report. Receive & place on file.

13. Planning Commission - Budget Status Financial Report for December 31, 2007. Receive & place on file.
14. Planning Commission - Request for staff updates on recommendations and development options on land east of the current jail site (standing item). Receive & place on file.
15. Planning Commission - Update regarding Planning Commission Economic Development Activities. Receive & place on file.
16. Planning Commission - Summary of Annual Report submitted to WDNR related to Brown County Municipal Storm Sewer System (MS4) Permit. Receive & place on file.
17. Port/Solid Waste - Request for Budget Transfer (#08-16): Capital contribution for single stream recycling Approve.
18. Port/Solid Waste - Power Purchase Agreement, Wisconsin Public Service and Brown County for Landfill Gas to Energy Project – Request for Approval. Hold for one month.
19. Port/Solid Waste - Resolution re: Expanding General Operating Zone of Brown County Foreign Trade Zone #167 (for Marinette Marine Corp.) Committee approved. See Resolutions, Ordinances April County Board.
20. Port/Solid Waste - Memorandum of Understanding with the City of Green Bay for Renard Island.
  - a) Nominate Supervisor Dantine to sit in on a County Administrative Negotiating Team re: Issues concerning Renard Island between Brown County and the City of Green Bay.
  - b) Hold for one month.
21. Port/Solid Waste - Renard Island Closure Plan Update. Receive & place on file.
22. Port/Solid Waste - Budget Status Financial Report for December 31, 2007. Approve with noted correction of \$1.7 million.
23. Port/Solid Waste - Director's report. Receive & place on file.
24. Communication from Supervisors John Vander Leest and Tom De Wane re: Request to invite the City of Green Bay officials to the Planning, Development & Transportation Committee to discuss the Renard Island Closure Plan. (Referred from March County Board.) Receive & place on file.

25. Communication from Supervisor Bernie Erickson re: Request a monthly update on progress of Renard Island (before the PD&T committee reads about the news or hears it on TV). (Referred from March County Board.) Receive & place on file.
26. UW-Extension - Budget Status Financial report for December 31, 2007. Receive & place on file.
27. UW-Extension - Upcoming Events calendar. Receive & place on file.
28. Register of Deeds & Property Listing Department – Budget Status Financial Report for December 31, 2007. Receive & place on file.
29. Audit of bills. Pay the bills.

Approved by:

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COUNTY EXECUTIVE

Date

MEMORANDUM OF UNDERSTANDING  
AND STATEMENT OF INTENT TO PURSUE AN INTERGOVERNMENTAL  
COOPERTIVE AGREEMENT, UNDER SEC. 66.0301, STATS

BETWEEN  
BROWN COUNTY, WISCONSIN  
AND  
CITY OF GREEN BAY, WISCONSIN

FOR TRANSFER OF OWNERSHIP AND HUMAN USE OF RENARD ISLAND  
GREEN BAY HARBOR, WISCONSIN

THIS Memorandum of Understanding (MOU) is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2008, by and between the municipal government of Brown County, Wisconsin (hereinafter the "County"), represented by the County Executive, and the municipal government of the City of Green Bay, Wisconsin (hereinafter "City") represented by the Mayor of Green Bay.

WITNESSETH, THAT:

WHEREAS, The County received a lakebed grant from the State of Wisconsin for the U.S. Army Corps of Engineers (USACE) to construct Renard Island Confined Disposal Facility from the Green Bay Harbor navigational Channel's dredged material.

WHEREAS, The County will accept ownership of 54-acre Renard Island from the USACE upon performance of the closure activities.

WHEREAS, the County estimates the closure of Renard Island to take place over the next 3-10 years.

WHEREAS, the County has or will be submitting the Renard Island Closure Plan, dated February 2008 to the Wisconsin Department of Natural Resources. The Closure Plan for Renard Island will prescribe a closure plan for the USACE and Brown County that is protective of human health and the environment. Such events are preconditions to the negotiations to be entered into by the parties.

WHEREAS, The County and City would like to see the end use for the 54- acre island that provides recreational activities that benefit the community.

WHEREAS, The City owns the Bay Beach Amusement Park and the landside property necessary for a causeway to access the island and both the City and County would negotiate an agreement to share the long-term care of the island.

WHEREAS, the City agrees to negotiate for the purpose of entering into an agreement for the long-term maintenance responsibility of the causeway after closure activities completed.

WHEREAS, Both the City and County intend to negotiate in the future to enter into an agreement to pursue the construction of a permanent causeway to access the island for closure purposes and end use activities.

WHEREAS, The City and County intend to negotiate in the future to enter into an agreement to work cooperatively in securing the causeway funding and permitting needs.

WHEREAS, The City intends to negotiate an agreement to take ownership and long-term care responsibilities of the island surface, while the County would agree to maintain ownership and long-term cares of the perimeter dikes. (Long-term care responsibilities will be determined by WDNR as part of the Closure Plan. These responsibilities and transfer will need to be negotiated terms of a future intergovernmental cooperative agreement).

WHEREAS, the City desires to negotiate terms and conditions in a future agreement to place up to an additional two feet cover material on the island surface. This will require revising the County's Closure Plan with the WDNR at an estimated cost of \$30,000 to \$50,000.

WHEREAS, the City agrees to negotiate terms and conditions of a future agreement to stockpile the additional cover material landside and deliver to the island for the U.S. Army Corps of Engineer's (USACE) contractor to place and spread on island during active closure of the island.

#### ARTICLE I - DEFINITIONS

For purposes of this MOA the following definitions shall apply:

#### ARTICLE II - GENERAL PROVISIONS

U. Any notice, request or other communication shall be addressed as follows:

If to the Brown County Executive:

Brown County Executive  
305 Walnut Street  
Green Bay, Wisconsin 54305-3600

If to the Government:

Green Bay Mayor

100 N. Jefferson St.  
Green Bay, WI 54301

Each party shall advise the other of any change in address.

IN WITNESS WHEREOF, the parties hereto have executed this MOA, which shall become effective upon the last date signed below.

BROWN COUNTY EXECUTIVE

MAYOR OF GREEN BAY

BY: \_\_\_\_\_  
Tom Hinz  
Brown County Executive

BY: \_\_\_\_\_  
Jim Schmitt  
Mayor of Green Bay

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

## CERTIFICATE OF AUTHORITY

I, \_\_\_\_\_, do hereby certify that I am the principal legal officer of Brown County, Wisconsin, that Brown County, Wisconsin is a legally constituted public body with full authority and legal capability to perform the terms of this Memorandum of Agreement between the Department of the Army and Brown County, Wisconsin in connection with the Calculation of Tipping Fees for Use of the Bay Port Dredged Material Disposal Facility, Green Bay Harbor, Wisconsin, and that the persons who have executed this Agreement on behalf of Brown County, Wisconsin have acted within their statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

\_\_\_\_\_  
[TYPED NAME]  
[TITLE IN FULL]

**[NOTE: THE PERSON SIGNING THE CERTIFICATE OF AUTHORITY CAN NOT BE THE SIGNATORY TO THE AGREEMENT. THE PERSON SIGNING THE CERTIFICATE OF AUTHORITY IS CERTIFYING THAT THE SIGNATORY TO THE AGREEMENT HAS THE AUTHORITY TO SIGN FOR BROWN COUNTY.]**

**PROCEEDINGS OF THE BROWN COUNTY  
PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE**

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Brown County Planning, Development & Transportation Committee** was held on Monday, March 24, 2008 in Room 161 at 6:30 p.m. – Ag & Extension Center, 1150 Bellevue Street, Green Bay, WI

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**Present:** Mike Fleck, Dave Kaster, Norb Dantine, John Vander Leest

**Excused:** Bernie Erickson

**Also Present:** County Executive Tom Hinz, Jayme Sellen. Supervisors Adam Warpinski, Bill Clancy, Tom De Wane, Tom Miller, Brian Lamers, Chuck Larscheid, Bill Bosiacki, Chuck Lamine, News Media and Other Interested Parties.

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1. CALL MEETING TO ORDER:

The meeting was called to order by Vice Chairman Fleck at 6:35 p.m.

2. APPROVE/MODIFY AGENDA:

Although shown in proper format here, items 20 through 26a & b were taken out of order after item #6.

**A MOTION WAS MADE BY SUPERVISOR KASTER AND SECONDED BY SUPERVISOR DANTINNE TO APPROVE AS MODIFIED. Vote taken. MOTION CARRIED UNANIMOUSLY.**

3. APPROVE/MODIFY MINUTES OF FEBRUARY 25, 2008.

**A MOTION WAS MADE BY SUPERVISOR DANTINNE AND SECONDED BY SUPERVISOR KASTER TO APPROVE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

4. REVIEW MINUTES OF:

- a) HARBOR COMMISSION (2/11/08).
- b) BAY-LAKE REGIONAL PLANNING COMMISSION MONTHLY WORK PROGRAM ACTIVITY REPORT BY COUNTY (FEBRUARY 2008).

**A MOTION WAS MADE BY SUPERVISOR VANDER LEEST AND SECONDED BY SUPERVISOR KASTER TO APPROVE ITEMS 4A & 4B. Vote taken. MOTION CARRIED UNANIMOUSLY.**

**AIRPORT**

5. BUDGET STATUS FINANCIAL REPORT FOR DECEMBER 31, 2007.

**A MOTION WAS MADE BY SUPERVISOR DANTINNE AND SECONDED BY SUPERVISOR VANDER LEEST TO RECEIVE AND PLACE ON FILE. Vote**



taken. **MOTION CARRIED UNANIMOUSLY.**

6. **DIRECTOR'S REPORT.**

Airport Director, Tom Miller, reported on the following:

- a) The cost of oil has topped \$100 a barrel which is having a significant impact on airline industry. Northwest Airlines indicated they will spend \$1.7 billion dollars more for fuel in 2008 than spent in 2007.
- b) The FAA indicated their forecast for passenger growth in 2008 is being reduced from 3.4% growth down to less than 1% of domestic travel while internationally travel is expected to rise almost 9%. As a result, Delta Airlines is going to eliminate their Green Bay to Atlanta service effective May 1<sup>st</sup> 2008. They have a 92+% load factor on that flight and is not profitable.
- c) Beginning in June 2008, Allegiant Airlines will suspend their service to Phoenix, Arizona (which was started November 2007). Miller expects it to resume in the fall.
- d) The formal kickoff for Continental Airline to Cleveland, Ohio will be on April 7, 2008. The first flight parts at 4 p.m. and there will be various festivities, drawings, and news media present.

**A MOTION WAS MADE BY SUPERVISOR DANTINNE AND SECONDED BY SUPERVISOR KASTER TO RECEIVE AND PLACE ON FILE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

*Item 20 through 26a & b were taken at this time.*

**HIGHWAY**

7. **BUDGET TO ACTUAL, 2008.**

Highway Commissioner, Brian Lamers, stated winter maintenance is a little over one million dollars, budget is \$1.235 million. The chances of going over budget are pretty good with having to factor in November and December of 2008. There are carry over funds of a couple hundred thousand dollars. Several questions were asked in regards to winter road plowing and salting procedures with this winter being a very bad winter and Brown County using all their salt supply. Members stated it can not be predicted how much salt is needed each winter. However, Lamers stated this winter has been a learning experience and they have been taking steps to try and save the taxpayers money.

**A MOTION WAS MADE BY SUPERVISOR VANDER LEEST AND SECONDED BY SUPERVISOR DANTINNE TO RECEIVE AND PLACE ON FILE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

8. **REQUEST FOR TWO STOP SIGNS (ONE FROM EACH DIRECTION) AT CTH "V" AND DALY STREET IN THE VILLAGE OF BELLEVUE. (REQUESTED BY SUPERVISOR DAVE KASTER.) HELD FROM PREVIOUS MEETING.**

Supervisor Kaster stated he had contacted Wal-Mart, and they will not be responsible for putting in roundabouts. He is still receiving calls from people and other trustees stating there may have not been any accidents at this intersection, however, there have been a lot of close ones. Cars are speeding around the bend underneath the overpass, making it

hard for people to pull onto CTH "V" from Daly. Kaster asked for a squad car to be posted at the site for several days, and they pulled over a lot of cars. Kaster's intentions are not to wait for accidents to happen, but is trying to find ways to avoid accidents, fix the problem and make it safer.

Lamers stated as far as a multi way stop, the MUTCD manual states that they do not work. An engineering study by Bellevue states by placing stops signs, it could potentially lead to an increase of rear end collisions along Lime Kiln Rd. They are only following the guidelines, they look at action data and traffic engineering studies. Lamers stated the road is scheduled for reconstruction in 2010 but is unsure how many options there will be for change at that time. For now, he suggested placing a 35MPH advisory sign around the corner.

**A MOTION WAS MADE BY SUPERVISOR KASTER AND SECONDED BY SUPERVISOR DANTINNE TO HAVE 35MPH ADVISORY SIGNS PUT UP, REQUEST SPEEDBOARDS BE PLACED AND CONSIDERATION THAT WHEN THE ROAD BE RECONSTRUCTED IN 2010, THE INTERSECTION OF CTH "V" AND DALY BE REVIEWED. Vote taken. MOTION CARRIED UNANIMOUSLY.**

9. COMMISSIONER'S REPORT.

**A MOTION WAS MADE BY SUPERVISOR DANTINNE AND SECONDED BY SUPERVISOR VANDER LEEST TO RECEIVE AND PLACE ON FILE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

**ZONING**

10. BUDGET STATUS FINANCIAL REPORT FOR DECEMBER 31, 2007

**A MOTION WAS MADE BY SUPERVISOR VANDER LEEST AND SECONDED BY SUPERVISOR KASTER TO RECEIVE AND PLACE ON FILE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

11. 2007 ANNUAL REPORT

**A MOTION WAS MADE BY SUPERVISOR DANTINNE AND SECONDED BY SUPERVISOR KASTER TO RECEIVE AND PLACE ON FILE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

12. REQUEST BY JIM EHLEN FOR EXTENSION ON WETLAND REZONE TO CONTINUE TO WORK WITH SENATOR LASEE'S OFFICE.

Zoning Administrator, Bill Bosiacki, provided an email (see attached) in re: to a time amount on an extension.

**A MOTION WAS MADE BY SUPERVISOR VANDER LEEST AND SECONDED BY SUPERVISOR KASTER TO CONTINUE EXTENSION UNTIL FEBRUARY 2009. Vote taken. AYES: 3: (VANDER LEEST, KASTER, FLECK) NAYS: 0. ABSTAIN: 1: (DANTINNE). MOTION CARRIED.**

13. REQUEST FOR BUDGET TRANSFER (#08-17): \$2,107 FROM 10-8801-50-0101 (SALARIES) TO 10-8801-50-0340 (INFORMATION SERVICES CHARGEBACKS) TO PURCHASE A LAPTOP COMPUTER.

**A MOTION WAS MADE BY SUPERVISOR DANTINNE AND SECONDED BY SUPERVISOR VANDER LEEST TO APPROVE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

14. FEMA UPDATE.

Bosiacki stated they had another meeting with the realtors, which he felt went very well. A handout (attached) was provided re: FEMA Statements from March 7, 2008 Meeting.

No action taken.

15. DIRECTOR'S REPORT.

- A) A handout (see County Board & County Clerk office) was provided re: Fiscal 2009 Wisconsin Fund Applications in which Bosiacki spoke briefly in regards to.
- B) Bosiacki informed the committee of non-metallic mining. There is a pit in the Town of Glenmore, using fill which will need DNR permits for it.

**A MOTION WAS MADE BY SUPERVISOR VANDER LEEST AND SECONDED BY SUPERVISOR DANTINNE TO RECEIVE AND PLACE ON FILE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

#### PLANNING COMMISSION

16. BUDGET STATUS FINANCIAL REPORT FOR DECEMBER 31, 2007.

**A MOTION WAS MADE BY SUPERVISOR VANDER LEEST AND SECONDED BY SUPERVISOR KASTER TO RECEIVE AND PLACE ON FILE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

17. REQUEST FOR STAFF UPDATES ON RECOMMENDATIONS AND DEVELOPMENT OPTIONS ON LAND EAST OF THE CURRENT JAIL SITE (STANDING ITEM).

Planning Director, Chuck Lamine, provided material (available in County Board and County Clerk office) used at a Lake Largo Neighborhood Association meeting on March 3, 2008 stating about 100 people showed up. He had been trying to compile all the various questions they have been hearing at meetings and assembled the attached "Answers to Frequently Asked Questions about the Proposed Brown County Farm Traditional Neighborhood Development (TND)". This information and the Power Point presentation from the meeting are also available on the Brown County Planning website.

**A MOTION WAS MADE BY SUPERVISOR VANDER LEEST AND SECONDED BY SUPERVISOR DANTINNE TO RECEIVE AND PLACE ON FILE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

18. UPDATE REGARDING PLANNING COMMISSION ECONOMIC DEVELOPMENT ACTIVITIES.

Lamine provided two documents re: Brown County Comprehensive Plan (available in County Clerk and County Board office, as well as, on the Brown County Planning website) and WI Development Fund CDBG – Economic Development Grant, March 24, 2008 (available in County Board & County Clerk office) and spoke in regards to both handouts and answered questions from the committee.

**A MOTION WAS MADE BY SUPERVISOR VANDER LEEST AND SECONDED BY SUPERVISOR KASTER TO RECEIVE AND PLACE ON FILE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

19. SUMMARY OF ANNUAL REPORT SUBMITTED TO WDNR RELATED TO BROWN COUNTY MUNICIPAL STORM SEWER SYSTEM (MS4) PERMIT.

Planner, Peter Schleinz, provided a handout (attached) re: Municipal Separate Storm Water System (MS4) Permit 2006-2007 Annual Report Executive Summary and spoke briefly in regards to the handout.

**A MOTION WAS MADE BY SUPERVISOR VANDER LEEST AND SECONDED BY SUPERVISOR DANTINNE TO RECEIVE AND PLACE ON FILE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

**PORT/SOLID WASTE**

20. REQUEST FOR BUDGET TRANSFER (#08-16): CAPITAL CONTRIBUTION FOR SINGLE STREAM RECYCLING

**A MOTION WAS MADE BY SUPERVISOR DANTINNE AND SECONDED BY SUPERVISOR KASTER TO APPROVE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

21. POWER PURCHASE AGREEMENT, WISCONSIN PUBLIC SERVICE AND BROWN COUNTY FOR LANDFILL GAS TO ENERGY PROJECT – REQUEST FOR APPROVAL.

**A MOTION WAS MADE BY SUPERVISOR VANDER LEEST AND SECONDED BY SUPERVISOR DANTINNE TO HOLD FOR ONE MONTH. Vote taken. MOTION CARRIED UNANIMOUSLY.**

22. RESOLUTION RE: EXPANDING GENERAL OPERATING ZONE OF BROWN COUNTY FOREIGN TRADE ZONE #167 (FOR MARINETTE MARINE CORP.)  
**A MOTION WAS MADE BY SUPERVISOR DANTINNE AND SECONDED BY SUPERVISOR VANDER LEEST TO APPROVE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

23. MEMORANDUM OF UNDERSTANDING WITH THE CITY OF GREEN BAY FOR RENARD ISLAND.

Solid Waste Director, Chuck Larscheid, provided a handout (attached) re: Memorandum of Understanding and Statement of Intent to Pursue an Intergovernmental Cooperative Agreement between Brown County and the City of Green Bay. This is in regards to some of the issues that the City of Green Bay had particular interest in on how Renard Island was to be closed. The closure plan was submitted to the DNR in February. The

City of Green Bay had two main criteria that they were interested in 1) the height of the island, in which Brown County offered to decrease the amount of material that would have gone on the island from 800,000+ cubic yards to 466,000 yards. 2) Some Green Bay Officials were concerned that there is no covering on the island to cover out of harbor dredge sediments. The County offered to spread material on the island if the City of Green Bay provided the material. The City came up with clay type materials from storm water pond excavations in the future and offered to excavate the materials, truck them onto the island and Brown County would then create a cost of grading the material on the island. This is all predicated on a causeway being built from the shore to the island. The Corp of Engineers indicated to Brown County that they now think that the most economical way to put materials on Renard Island is to build a causeway and truck them by land. Based on the assumption, a tentative agreement with Brown County and the City of Green Bay to work together toward lobbying the Corps of Engineers to make good on the thought of causeway and, if not, seek funding either through earmarks federal budget or offset it with dredging savings.

Supervisor Vander Leest stated he was not in support of turning Renard Island into recreational use.

Supervisor De Wane stated the City of Green Bay has the opportunity to put a cap on the island now and sometime in the future grant money will be available and opportunities will still be there for other things such as recreational use.

County Executive, Tom Hinz, stated there is 55 acres of prime real estate property. When there were discussions regarding potential recreational use, he believes there were no visions of what the final design would be. When speaking with the City and their staff as to what should be done, the goal was to get the closure plan in, and second was to look at potential recreational use so that it could be designed in the future. There weren't any financial dollars committed in this whole process but to just come up with a concept. Look at what makes the community attractive for future development purposes. Bay Beach is considered a destination point and someday it may be a greater destination for future generations. Hinz suggested having a PD&T member sit in on a County Administrative negotiating team re: issues concerning Renard Island with Brown County and the City of Green Bay.

**A MOTION WAS MADE BY SUPERVISOR DANTINNE AND SECONDED BY SUPERVISOR KASTER TO SUSPEND THE RULES AND HAVE INTERESTED PARTIES SPEAK. Vote taken. MOTION CARRIED UNANIMOUSLY.**

**Chad Fradette, Green Bay City Council President**

Fradette agrees with both County Executive Hinz and Supervisor De Wane stating they are all looking to preserve for the future. What is wanted is to work together so that 20 or 30 years from now they can use the island without the fear of contamination. As far as the process goes, there was a meeting between the Mayor and the County Executive that got the ball rolling. It became a more open process in which it went to their Advisory Committee and then to the public.

**A MOTION WAS MADE BY SUPERVISOR VANDER LEEST AND SECONDED BY SUPERVISOR KASTER TO RETURN TO REGULAR ORDER OF BUSINESS. Vote taken. MOTION CARRIED UNANIMOUSLY.**

**A MOTION WAS MADE BY SUPERVISOR KASTER AND SECONDED BY SUPERVISOR FLECK TO NOMINATE SUPERVISOR DANTINNE TO SIT IN ON A COUNTY ADMINISTRATIVE NEGOTIATING TEAM RE: ISSUES CONCERNING RENARD ISLAND BETWEEN BROWN COUNTY AND THE CITY OF GREEN BAY. Vote taken. MOTION CARRIED UNANIMOUSLY.**

**A MOTION WAS MADE BY SUPERVISOR VANDER LEESE AND SECONDED BY SUPERVISOR KASTER TO HOLD FOR ONE MONTH. Vote taken. MOTION CARRIED UNANIMOUSLY.**

24. RENARD ISLAND CLOSURE PLAN UPDATE.

Larscheid reported last month that the closure plan has been submitted. The DNR has 90 days to review and they have not asked for any further information or given any indications that they need anything else.

**A MOTION WAS MADE BY SUPERVISOR VANDER LEESE AND SECONDED BY SUPERVISOR DANTINNE TO RECEIVE AND PLACE ON FILE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

25. BUDGET STATUS FINANCIAL REPORT FOR DECEMBER 31, 2007.

\*\*\* Correction: Total expenses are \$1.7 million over budget, not \$7,727,642.

**A MOTION WAS MADE BY SUPERVISOR VANDER LEESE AND SECONDED BY SUPERVISOR DANTINNE TO APPROVE WITH NOTED CORRECTION OF \$1.7 MILLION. Vote taken. MOTION CARRIED UNANIMOUSLY.**

26. DIRECTOR'S REPORT.

No report.

**A MOTION WAS MADE BY SUPERVISOR VANDER LEESE AND SECONDED BY SUPERVISOR KASTER TO RECEIVE AND PLACE ON FILE. Vote taken. MOTION CARRIED UNANIMOUSLY.**

#26a COMMUNICATION FROM SUPERVISORS JOHN VANDER LEESE AND TOM DEWANE RE: REQUEST TO INVITE THE CITY OF GREEN BAY OFFICIALS TO THE PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE TO DISCUSS THE RENARD ISLAND CLOSURE PLAN. (REFERRED FROM MARCH COUNTY BOARD).

#26b COMMUNICATION FROM SUPERVISOR BERNIE ERICKSON RE: REQUEST A MONTHLY UPDATE ON PROGRESS OF RENARD ISLAND (BEFORE THE PD&T COMMITTEE READS ABOUT THE NEWS OR HEARS IT ON TV). (REFERRED FROM MARCH COUNTY BOARD.)

**A MOTION WAS MADE BY SUPERVISOR VANDER LEESE AND SECONDED BY SUPERVISOR KASTER TO RECEIVE AND PLACE ON FILE ITEMS #26A AND #26B. VOTE TAKEN. MOTION CARRIED UNANIMOUSLY.**

*Back to item #7 at this time.*

**UW-EXTENSION**

27. BUDGET STATUS FINANCIAL REPORT FOR DECEMBER 31, 2007.
28. UW-EXTENSION UPCOMING EVENTS CALENDAR.

**A MOTION WAS MADE BY SUPERVISOR VANDER LEESE AND SECONDED BY SUPERVISOR KASTER TO RECEIVE AND PLACE ON FILE ITEMS 27 & 28. Vote taken. MOTION CARRIED UNANIMOUSLY.**

**REGISTER OF DEEDS BUDGET STATUS FINANCIAL REPORT FOR DECEMBER 31, 2007. NO OTHER AGENDA ITEMS.**

**LAND INFORMATION OFFICE (NO AGENDA ITEMS)**

**PROPERTY LISTING DEPT. BUDGET STATUS FINANCIAL REPORT FOR DECEMBER 31, 2007. NO OTHER AGENDA ITEMS.**

**A MOTION WAS MADE BY SUPERVISOR VANDER LEESE AND SECONDED BY SUPERVISOR DANTINNE TO RECEIVE AND PLACE ON FILE THE REGISTER OF DEEDS AND PROPERTY LISTING DEPARTMENT. Vote taken. MOTION CARRIED UNANIMOUSLY.**

**OTHER**

29. AUDIT OF BILLS.

**A MOTION WAS MADE BY SUPERVISOR DANTINNE AND SECONDED BY SUPERVISOR KASTER TO PAY THE BILLS. Vote taken. MOTION CARRIED UNANIMOUSLY.**

30. SUCH OTHER MATTERS AS AUTHORIZED BY LAW.  
None.

**Motion made by Supervisor Dantine and seconded by Supervisor Kaster to adjourn at 8:43 p.m. MOTION APPROVED UNANIMOUSLY**

Respectfully submitted,

Alicia A. Loehlein  
Recording Secretary

**Bosiacki\_BS**

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**From:** Heyroth\_MR  
**Sent:** Monday, March 24, 2008 12:27 PM  
**To:** Bosiacki\_BS  
**Subject:** FW: Ehlen extension

6 months it is.

*Matt*

\*\*\*\*\*

Matthew Heyroth  
Assistant Zoning Administrator  
Brown County  
Planning and Land Services  
Zoning Divison  
305 East Walnut Street  
P.O. Box 23600  
Green Bay, WI 54305-3600  
Phone (920)448-6480  
Fax (920)448-4487  
Email: [HEYROTH\\_MR@co.brown.wi.us](mailto:HEYROTH_MR@co.brown.wi.us)  
Web site: <http://www.co.brown.wi.us/>

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-----Original Message-----

**From:** Esser, Jennifer [mailto:Jennifer.Esser@legis.wisconsin.gov]  
**Sent:** Monday, March 24, 2008 12:26 PM  
**To:** Heyroth\_MR  
**Subject:** RE: Ehlen extension

Rep. Bies thought we'd need at least two more months. So if you could start with maybe 6 months, that should be more than enough. We will be keeping in touch with you with any updates.

I won't mention a similar case that took 18 months...we're hoping this one goes smoother ☺

Hope this helps.

Jen

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**From:** Heyroth\_MR [mailto:Heyroth\_MR@co.brown.wi.us]  
**Sent:** Monday, March 24, 2008 12:10 PM  
**To:** Esser, Jennifer  
**Subject:** Ehlen extension

Hi Jennifer,

3/24/2008

12



My supervisor requested that I ask you if you have an idea for the length of the extension request. ie...6 months, 1 year, etc....

Please let me know if you can today since the meeting is tonight.

Thanks,

*Matt*

\*\*\*\*\*

Matthew Heyroth  
Assistant Zoning Administrator  
Brown County  
Planning and Land Services  
Zoning Division  
305 East Walnut Street  
P.O. Box 23600  
Green Bay, WI 54305-3600  
Phone (920)448-6480  
Fax (920)448-4487  
Email: [HEYROTH\\_MR@co.brown.wi.us](mailto:HEYROTH_MR@co.brown.wi.us)  
Web site: <http://www.co.brown.wi.us/>

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## **FEMA Statements from March 7, 2008 Meeting:**

1. Will revise approximate A-zones to conform to 2 foot contours delineations.
2. Will review the approximate A-zones in areas of 10 foot contours.
3. Modifications outside the existing floodplain on current maps will be incorporated, if supported by certified contours or as built grading plans.
4. Modifications in the existing floodplain will be incorporated, unless in floodway or structure built below the BFE.
5. New engineering studies for streams with new or revised detailed analysis will be incorporated, if it meets FEMA guidelines for use in flood insurance studies.
6. New engineering studies for streams without existing detailed analysis will be incorporated. – as approximate zone A areas.
7. Coastal wave run-up study will be discussed at a meeting on March 28. Krista Collier, Coastal Engineer with Baker & Associates will come to Green Bay for this meeting. *Rm 200, Northern Bldg @ 9 a.m.*
8. Responses will be provided to county's 45 questions on FIS report on March 28.
9. FEMA will review appeals/comments after the end of the 90 day comment period which is the end of April 2008. This process will take 4-6 months (End of October 2008)
10. Anticipated date of Final Draft map- fall 2008.
11. Final Community comments-30 days after.
12. FEMA will issue letter that community must adopt within six months (so spring/summer of 2009-June/July)

MEMORANDUM OF UNDERSTANDING  
AND STATEMENT OF INTENT TO PURSUE AN INTERGOVERNMENTAL  
COOPERATIVE AGREEMENT, UNDER SEC. 66.0301, STATS

BETWEEN  
BROWN COUNTY, WISCONSIN  
AND  
CITY OF GREEN BAY, WISCONSIN

FOR TRANSFER OF OWNERSHIP AND HUMAN USE OF RENARD ISLAND  
GREEN BAY HARBOR, WISCONSIN

THIS Memorandum of Understanding (MOU) is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2008, by and between the municipal government of Brown County, Wisconsin (hereinafter the "County"), represented by the County Executive, and the municipal government of the City of Green Bay, Wisconsin (hereinafter "City") represented by the Mayor of Green Bay.

WITNESSETH, THAT:

WHEREAS, The County received a lakebed grant from the State of Wisconsin for the U.S. Army Corps of Engineers (USACE) to construct Renard Island Confined Disposal Facility from the Green Bay Harbor navigational Channel's dredged material.

WHEREAS, The County will accept ownership of 54-acre Renard Island from the USACE upon performance of the closure activities.

WHEREAS, the County estimates the closure of Renard Island to take place over the next 3-10 years.

WHEREAS, the County has or will be submitting the Renard Island Closure Plan, dated February 2008 to the Wisconsin Department of Natural Resources. The Closure Plan for Renard Island will prescribe a closure plan for the USACE and Brown County that is protective of human health and the environment. Such events are preconditions to the negotiations to be entered into by the parties.

WHEREAS, The County and City would like to see the end use for the 54- acre island that provides recreational activities that benefit the community.

WHEREAS, The City owns the Bay Beach Amusement Park and the landside property necessary for a causeway to access the island and both the City and County would negotiate an agreement to share the long-term care of the island.

WHEREAS, the City agrees to negotiate for the purpose of entering into an agreement for the long-term maintenance responsibility of the causeway after closure activities completed.

WHEREAS, Both the City and County intend to negotiate in the future to enter into an agreement to pursue the construction of a permanent causeway to access the island for closure purposes and end use activities.

WHEREAS, The City and County intend to negotiate in the future to enter into an agreement to work cooperatively in securing the causeway funding and permitting needs.

WHEREAS, The City intends to negotiate an agreement to take ownership and long-term care responsibilities of the island surface, while the County would agree to maintain ownership and long-term cares of the perimeter dikes. (Long-term care responsibilities will be determined by WDNR as part of the Closure Plan. These responsibilities and transfer will need to be negotiated terms of a future intergovernmental cooperative agreement).

WHEREAS, the City desires to negotiate terms and conditions in a future agreement to place up to an additional two feet cover material on the island surface. This will require revising the County's Closure Plan with the WDNR at an estimated cost of \$30,000 to \$50,000.

WHEREAS, the City agrees to negotiate terms and conditions of a future agreement to stockpile the additional cover material landside and deliver to the island for the U.S. Army Corps of Engineer's (USACE) contractor to place and spread on island during active closure of the island.

## ARTICLE I - DEFINITIONS

For purposes of this MOA the following definitions shall apply:

## ARTICLE II - GENERAL PROVISIONS

U. Any notice, request or other communication shall be addressed as follows:

If to the Brown County Executive:

Brown County Executive  
305 Walnut Street  
Green Bay, Wisconsin 54305-3600

If to the Government:

Green Bay Mayor

100 N. Jefferson St.  
Green Bay, WI 54301

Each party shall advise the other of any change in address.

IN WITNESS WHEREOF, the parties hereto have executed this MOA, which shall become effective upon the last date signed below.

BROWN COUNTY EXECUTIVE

MAYOR OF GREEN BAY

BY: \_\_\_\_\_  
Tom Hinz  
Brown County Executive

BY: \_\_\_\_\_  
Jim Schmitt  
Mayor of Green Bay

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

## CERTIFICATE OF AUTHORITY

I, \_\_\_\_\_, do hereby certify that I am the principal legal officer of Brown County, Wisconsin, that Brown County, Wisconsin is a legally constituted public body with full authority and legal capability to perform the terms of this Memorandum of Agreement between the Department of the Army and Brown County, Wisconsin in connection with the Calculation of Tipping Fees for Use of the Bay Port Dredged Material Disposal Facility, Green Bay Harbor, Wisconsin, and that the persons who have executed this Agreement on behalf of Brown County, Wisconsin have acted within their statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

\_\_\_\_\_  
[TYPED NAME]  
[TITLE IN FULL]

**[NOTE: THE PERSON SIGNING THE CERTIFICATE OF AUTHORITY CAN NOT BE THE SIGNATORY TO THE AGREEMENT. THE PERSON SIGNING THE CERTIFICATE OF AUTHORITY IS CERTIFYING THAT THE SIGNATORY TO THE AGREEMENT HAS THE AUTHORITY TO SIGN FOR BROWN COUNTY.]**